

PUBLIC HOUSING AUTHORITY CERTIFICATION  
SECTION 531 - DEMOLITION/DISPOSITION

The \_\_\_\_\_ certifies to the following:

That the development or portion of the development meets at least one of the following demolition or disposition criteria, as identified in Section 531 of the Public Housing Reform Act of 1998 which amends Section 18 of the United State Housing Act of 1937.

Please specifically identify the criteria that the public housing authority (PHA) meets, and complete the identified portions of HUD Form 52860. In addition, provide documentation such as, an engineering study to support structural obsolescence. This information along with the Field Office certification and comments will be used to determine whether the PHA's certification is acceptable.

Demolition.

- A. The project or portion of the public housing or a portion of a public housing project, that-
  - 1. the project or portion of the public housing project is obsolete as to physical condition, location, or other factors, making unsuitable for housing purposes; and
  - 2. no reasonable program of modifications is cost-effective to return the public housing project or portion of the project to useful life;
- B. For an application proposing demolition of only a portion of a public housing development, that the demolition will help to ensure the viability of the remaining portion of the project. (This criterion may not be used for scattered sites or total demolition.)

Disposition.

In the case of an application proposing disposition by sale or other transfer (e.g., long term lease) of a public

housing project or other real property subject to this title-

- the retention of the property is not in the best interests of the residents or the public housing agency because;
  - a. conditions in the areas surrounding the public housing project adversely affect the health or safety of the residents or the feasible operation of the project by the PHA; or
  - b. disposition allows the acquisition, development, or rehabilitation of other properties that will be more efficiently or effectively operating as low-income housing;
- the public housing agency has otherwise determined the disposition to be appropriate for reasons that are-
  - a. in the best interests of the residents and the PHA;
  - b. consistent with the goals of the PHA and the PHA plan; and
  - c. otherwise consistent with this title<sup>1</sup>; or
- for land and non-dwelling buildings, the property is (1) excess to the needs of a PHA project, or (2) the disposition is incidental to, or does not interfere with, continued operation of the public housing project;

#### Certification of Consistency with the PHA Plan

- That the proposed demolition or disposition is specifically authorized in the PHA plan; and the actions contemplated in the PHA Plan comply with Section 531 which amends Section 18 of the United States Housing Act of 1937.

#### Civil Rights Certification.

That it will carry out its plan in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and also certifies that it will affirmatively further fair housing.

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<sup>1</sup> A PHA must have a written justification to use this provision "otherwise consistent with this title".

### Relocation.

That it will notify each family residing in the development of the proposed demolition or disposition 90 days prior to the displacement date, except in cases of imminent threat to health and safety;

- that the development or portion of the development will be demolished or disposed of;
- each family displaced by such action will be provided comparable housing that meets HQS and that is located in an area that is generally not less desirable than the location of the displaced person's housing;
- such assistance may include:
  - (a) actual relocation into tenant based housing
  - (b) project based assistance, or
  - (c )other PHA properties;
- payment of actual and reasonable moving costs;
- will provide any necessary counseling; and
- will not commence demolition or complete disposition until all residents residing in the building are relocated.

### Use of Proceeds.

That it will use the net proceeds of any disposition, unless waived by the Assistant Secretary for:

- the payment of outstanding original or modernization debt on the development;
- to the extent that any proceeds remain after payment of debt, for the provision of low-income housing or to benefit the residents of the PHA; or for leveraging amounts for securing commercial enterprises, on site in PHA, appropriate to serve the needs of the residents.

Please indicate if the PHA is requesting a waiver of debt  
\_\_\_\_\_.

I certify that all the information provided in this application is accurate and truthful. I certify to all the information identified in this certification.

Name of the Executive Director: \_\_\_\_\_

Signature of Executive Director: \_\_\_\_\_ Date: \_\_\_\_\_

H:PCR/PHA Certification - New Section 18 revised 3/31/99